

STATE OF MICHIGAN
UNITED STATES DISTRICT COURT
EASTERN DISTRICT – SOUTHERN DIVISION

DPR MANAGEMENT, LLC, a
Michigan Limited Liability Company,
and METRO EMERGENCY SERVICES,
INC., a Michigan Corporation,

Plaintiffs,

vs.

Case No.

EVANSTON INSURANCE COMPANY, a
Foreign Insurance Company,

Defendant.

Michael J. Yockey P25638
Yockey, Yockey & Schliem
Attorney for Plaintiffs
33742 West Twelve Mile Road
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**COMPLAINT AND
DEMAND FOR TRIAL BY JURY**

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint, nor has any such action been previously filed and dismissed after having been assigned to a judge.

NOW COME Plaintiffs DPR Management, LLC and Metro Emergency Service, Inc., by and through their attorneys, Yockey Yockey & Schliem, and for their Complaint against Defendant Evanston Insurance Company say unto this Honorable Court:

JURISDICTION AND VENUE

1. Plaintiff DPR Management, LLC (DPR) is a citizen of the State of Michigan as that was its State of organization; DPR's principal place of business is in the County of Wayne, State of Michigan.

2. Plaintiff Metro Emergency Service, Inc. (MES) is a citizen of the State of Michigan as that was its State of incorporation; MES' principal place of business is in the County of Wayne, State of Michigan.

3. Defendant Evanston Insurance Company (Evanston) is a citizen of the State of Illinois as that was its State of incorporation with its principal place of business being in the City of Deerfield, State of Illinois.

4. The amount in controversy, exclusive of interest, costs and attorney fees, exceeds the sum of \$75,000.

5. Jurisdiction is premised upon diversity of citizenship of the parties and the amount in controversy.

6. At all times relevant, Defendant insured two properties in the County of Wayne, State of Michigan, being (1) 224 Highland, Highland Park, MI 48203 (hereinafter "Highland") and (2) 12535 Harper Avenue, Detroit, MI 48213 (hereinafter "Harper"). A copy of the policy of insurance is in the possession of the Defendant.

7. The claim number for Highland is 0096855.

8. The claim number for Harper is 0096854.

10. During the time that Defendant insured Harper, Plaintiffs suffered covered casualty (principally vandalism) at Harper.

11. During the time that Defendant insured Highland, Plaintiffs suffered covered casualty (principally fire) at Highland.

12. Claim has been made by Plaintiff against Defendant for the covered damage at Harper. Defendant, in breach of contract, has wrongfully refused payment for the covered loss at Harper.

13. Claim has been made against Defendant for the covered damage at Highland. Defendant, in breach of contract, has wrongfully refused payment for the covered loss at Highland.

14. Plaintiffs have been damaged by Defendant's wrongful refusal to make payment of insured loss at Harper.

15. Plaintiffs have been damaged by Defendant's wrongful refusal to make payment of insured loss at Highland.

WHEREFORE, Plaintiffs pray for the entry of judgment in whatever amount in excess of \$75,000 Plaintiffs are found to be entitled together with interest, costs and attorney fees.

Respectfully submitted,

YOCKEY YOCKEY & SCHLIEM
A Professional Corporation

By: /s/ Michael J. Yockey
Michael J. Yockey P25638
Attorney for Plaintiffs
33742 West Twelve Mile Road
Farmington Hills, MI 48331
(248) 489-1100

Dated: October 19, 2011

DEMAND FOR TRIAL BY JURY

NOW COME Plaintiffs DPR Management, LLC and Metro Emergency Service, Inc., by and through their attorneys, Yockey Yockey & Schliem, and hereby demand a trial by jury of the above captioned matter.

Respectfully submitted,

YOCKEY YOCKEY & SCHLIEM
A Professional Corporation

By: /s/ Michael J. Yockey
Michael J. Yockey P25638
Attorney for Plaintiffs
33742 West Twelve Mile Road
Farmington Hills, MI 48331
(248) 489-1100

Dated: October 19, 2011